

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Species A, claims 1, 2, 5, and 8-13 in the reply filed on February 16, 2010 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

3. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
4. Claims 1, 2, 5, 12, and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by either Lefebvre (Figs. 1, 3, 4, 7-9, and 12-15) or Usui et al '663 (Figs. 1, 2, 5, and 6).

Applicant should note elements (9 in Fig. 9 of Lefebvre) and (211 in Figs. 2 and 6 of Usui et al '663) serve as spacers to secure the packing elements in a non-contact, vertically aligned, parallel arrangement.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 1797

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Lefebvre or Usui et al '663.

Lefebvre (Figs. 1, 3, 4, 7-9, and 12-15) or Usui et al '663 (Figs. 1, 2, 5, and 6) as applied above substantially disclose applicant's invention as recited by instant claims 8-11, except for the specific shape or form of the contact elements. Wherein it is notoriously well known within the art of gas-liquid contact to improve the contact efficiency of a given column and packing by increasing the contact surface within a given volume of contact space, it would have been obvious for an artisan at the time of the invention, to modify the elements of either of the alternative references from straight to any one of zig-zag, spiral, or twisted to increase the surface area of the contact elements and thus improve the efficiency of contact in a well known and well understood manner.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Bushey whose telephone number is 571 272-1153. The examiner can normally be reached on M-Th 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Scott Bushey
Primary Examiner
Art Unit 1797

/S. B./
4-26-10

/Scott Bushey/
Primary Examiner, Art Unit 1797